

SPEECH

OF

SENATOR DOUGLAS,

*At the Democratic Celebration of the Anniversary of
American Freedom, in Independence Square,
Philadelphia, July 4, 1854.*

Mr. President and Fellow-citizens:

While I am profoundly grateful for the generous enthusiasm with which you have received the kind remarks of my friend General Dawson, I know not whether I ought to make my acknowledgments to him for having created in your minds expectations which it is impossible for me to fulfil. I feel that it is good for us to be here on this day. The day and the place are consecrated to liberty. It is a hallowed spot. I enter Independence Square—I approach Independence Hall on the Fourth of July, with feelings akin to those of the pilgrim when he approaches the holy places. It is the birth place of American liberty. Here the Declaration of Independence was first promulgated—here the Constitution of the United States was formed. On this very spot were proclaimed in that declaration and embodied in that Constitution those glorious principles of civil and religious freedom which our fathers have transmitted to us as the most precious of all earthly blessings. [Great applause.]

In these days, when efforts are being made to stir up sectional strife, and organize political parties on geographical lines—when religious intolerance and persecution are being practiced through the agency of secret associations—and when men in high places sacrilegiously deny all obligation to carry into effect the plain and imperative injunctions of the Constitution which they have sworn to support, it is well for good men and true patriots to assemble on our national birthday, at the birth-place of our liberties, and unite their efforts to preserve our republican institutions by perpetuating the principles upon which they rest. [Applause.]

On the 4th of July, '76, from the place where I now stand, our forefathers declared that these

“COLONIES ARE, AND OF RIGHT OUGHT TO BE,

FREE AND INDEPENDENT STATES.” That was the starting point. Thirteen British colonies were on that day converted into thirteen independent American States. The language is clear and explicit. The causes which led to the separation, and the instructions which the several colonies gave to their delegates in the Congress, prescribing the conditions upon which the Declaration of Independence was to be made, clearly show why this emphatic language was used. The colonies did not, in the first instance, demand independence. They were willing to acknowledge their allegiance to the British crown, provided they were left free to manage and regulate their own internal affairs and domestic concerns in their own way, without the interference or dictation of the imperial government. They were willing to recognize the right of Great Britain to grant colonial charters, like the organic laws of our territorial governments, by which the people of the colonies might make their own laws through their representatives in their local legislatures; but they solemnly protested against the right of the imperial parliament, in which they had no representation, to make laws, affecting their persons and property without their consent. Upon this point the separation took place, and the Declaration of Independence which you have just heard read, declared the thirteen colonies to be “free and independent States.” But before the declaration was made, the colonies gave instructions to their delegates, prescribing the conditions upon which each would consent to such a declaration. These instructions all prescribe the fundamental condition *that the people of each colony shall have the right to manage their internal affairs and domestic concerns as to them shall seem meet and proper.* [Hearty cheers.]

The instructions which Pennsylvania gave to

her delegates as the condition upon which they were to vote for the Declaration of Independence contained this emphatic clause :

"Reserving to the people of this colony the sole and exclusive right of regulating the internal government and police of the same."

The Constitution of the United States was formed and adopted by the people of these thirteen States, each acting for itself and upon its own responsibility, as distinct and independent sovereignties. By the Constitution thus formed, and under which we now live, each State was left entirely free to form and control its own domestic institutions in accordance with the great fundamental principle of self government, asserted in the Declaration of Independence, and in vindication of which all the battles of revolution were fought. [Applause.]

We are frequently told by the abolitionists that the Constitution of the United States is an anti-slavery instrument—devised and formed for the purpose of preventing the extension of African slavery, and of eradicating and exterminating it where it was found to exist. Those who make this statement furnish conclusive evidence that they do not understand the principles of the Constitution, nor the history of the times when it was adopted. At the period of the adoption of the Constitution twelve of the thirteen States by which it was formed, were slaveholding States. Is it reasonable to expect us to presume, on mere assertion and without evidence, that these twelve slaveholding States devised and ratified the Constitution with the view of destroying a domestic institution which was interwoven with their whole social system, and expressly recognized as one of the legitimate elements of political power in the federal representation? Why that clause in the federal Constitution providing for the surrender of fugitives from service, if it was the object of that instrument to abolish slavery and release the slaves from bondage? The pretensions of the abolitionists in this respect are rendered preposterous by the terms of the Constitution itself. The idea of either establishing or abolishing—extending or circumscribing slavery by the Constitution of the United States, or by the action of the federal government, never entered the brain of the framers of the Constitution.

African slavery, whether right or wrong, wise or unwise, was at that time existing in twelve of the thirteen States. The institution was planted by the British government in each of the thirteen colonies, without their consent, and against their remonstrances. The war of the revolution converted the dependent colonies into independent States, without changing or affecting the relations existing between the

master and slave. Slavery ceased to exist in one of the States, but still remained in all the others, Pennsylvania included, at the time the Constitution of the United States was formed. With the few exceptions expressly provided for in that instrument, it was the design of the Constitution to recognise and protect whatever institutions each State acting for itself, had or should establish or legalize. The people of each State were left entirely free to choose for themselves what kind of domestic institutions they would have, and so soon and so long as each State should thus determine, it became the duty of the federal government, under the Constitution, to protect such institutions in the several States, as they should be found to exist. For instance, Pennsylvania was a slaveholding State at the time of the adoption of the Constitution, and remained so more than a quarter of a century before the institution ceased under the decree of her own people. So long as Pennsylvania continued to legalize slavery by her own laws and constitution, the Constitution of the United States recognized and protected the institution of slavery within her limits, as solemnly and imperatively as it now recognizes and protects the prohibition which Pennsylvania has imposed on slavery within her own limits. The same remark is applicable to New Jersey, New York, Connecticut, Rhode Island, and New Hampshire. Each of those States recognized and protected slavery within their limits at the time, and for a long period subsequent to the adoption of the federal Constitution; and each of them has since abolished and prohibited slavery without the consent or interference of Congress. No man denied the right of each of these States, under the Constitution to retain the institution of slavery, so long as they chose to do so—no man denied their right to abolish it at the time it was abolished in each by voluntary action of their own people; and I presume that no man will now deny the right of each of these States to introduce slavery, provided their own people should deem it just and wise to do so by the modification of their local constitution and laws.

It being conceded, then, that the original States, one and all, have the undoubted right, under the Constitution, to introduce or exclude slavery at pleasure, with what reason can it be contended that a different rule may or should be applied to the new States. It hardly requires an argument to prove that each State of this Union must be equal in respect to its rights and powers to every other State. The States are sovereign and independent in all things except where the Constitution of the

United States has imposed limitations. Those limitations apply alike to all the States of the Union, new and old, slaveholding and non-slaveholding. No other limitation upon the sovereignty of a State can be imposed than those contained in the Constitution, none can be imposed by act of Congress, none by any branch of the federal government, none by any earthly power, except the Constitution of the United States. Entire and perfect equality, therefore, among all the States of the Union, in respect to their rights of legislation and sovereignty, is a cardinal and fundamental principle in our republican system. Indeed, the moment you impose upon the rights of any one State a limitation which the Constitution has not enjoined upon all the States, such State ceases to be a *State within the meaning of the Constitution*. Such limitation produces inferiority where the Constitution has provided for perfect equality. Under the clause of the Constitution providing for the admission of "new States," as a general thing, Congress is invested with a discretion to admit or reject; but in the event a new State is admitted into the Union, it must come in as a State, with all the powers and rights of a State under the Constitution, and on an equal footing with the original States in all respects whatsoever. Therefore, whatever powers are possessed by any one State—old or new—in respect to slavery, may of right, under the Constitution, be exercised by each and every State. In pursuance of this sovereign right, which is common to all the States, sixteen of the States of the Union have abolished or prohibited slavery, while the other fifteen States have recognized and protected it within their limits. This great principle was distinctly recognized and solemnly guaranteed in the compromise measures of 1850. [Applause.]

The acts for the organization of the Territories of New Mexico and Utah, each contains the stipulation that when said "Territories or any part thereof shall be admitted into the Union as States they shall be received with or without slavery, as their constitution shall prescribe at the time of admission." The Nebraska bill, which has passed Congress at this session, also carries out the same principle in the precise language of the compromise measures of 1850, which I have just quoted. [Great applause.]

In 1820 Congress passed an act to authorize the people of Missouri Territory to form a constitution preparatory to their admission into the Union as a State, on an equal footing with the original States in all respects whatsoever. The 8th section of the act declared that slavery

should be forever prohibited in all the territory acquired from France north of 36° 30', and not embraced within the limits of the proposed State of Missouri. This prohibition never went into practical operation, for the reason that the country was filled with hostile savages, and set apart by law and treaty as an Indian territory, from which all white men were excluded by severe penalties. Hence the 8th section of the Missouri act, which relates to slavery, has remained a dead letter on the statute book for thirty-four years, having no civilized people for it to operate upon, and its application to the Indians being necessarily excluded by acts of Congress known as the Indian intercourse laws. On the introduction of the Nebraska bill, therefore, the question arose whether legal effect should now be given for the first time to this old prohibition—in other words, whether Congress should, as the result of its action, now apply the Wilmot proviso to Nebraska and Kansas! To have given legal effect to this old prohibition would have involved a total abandonment of the cardinal principles of the compromise measures of 1850, so far as they related to the organization of new territories. These measures rested upon the great principles of self-government, which secures to every people the right to form and regulate their own domestic institutions in their own way, subject only to the Constitution of their country. [Applause.]

Why should not the people of Nebraska and Kansas be permitted to decide this question of slavery for themselves, as you did in Pennsylvania, and as we did in Illinois? Are they not capable of self-government? Who are they and where did they remove from, that this mark of inferiority should be stamped upon them? Did they not go and are they not now going by the thousands from the east and the west, from the north and the south—from all the States of the Union, old and new, free and slaveholding? Were they not as well qualified to decide the question correctly before they started, as you are who were their neighbors and kindred? Do you think that they lost any considerable portion of their intelligence by the way-side, so that they were less competent to judge for themselves when they arrived in the new Territories with their wives and children? Suppose you, who are listening to me with such kind attention, should conclude to emigrate to those fairy lands; do you think that when you should have arrived at your new homes and have become familiar with the country, its resources, condition, and wants, you would be less capable of deciding for yourselves what kind of laws and institutions would

promote your happiness and welfare than you are before you start, and when you know very little of the country? Doubtless you all think yourselves perfectly qualified to decide the question now; would you be less competent to decide it then? [Applause.]

As an excuse for violating this great principle of self-government in the organization of the Territories and in the admission of new States, the abolitionists tell us that slavery is a monstrous evil. It is no part of my purpose to discuss the merits of slavery as a domestic or political institution. If it be an evil your State and mine have acted wisely and performed their duty nobly in removing it from their limits. Standing by and vindicating the decision which the people of Illinois have made upon this subject, I claim for Kansas and Nebraska—yea, I demand for every new State which shall be admitted in all time to come, the right to determine for themselves and to exercise every power which the Constitution has secured to and has been exercised by the people of every State of this Union. [Immense applause.]

If it be an evil it is not the only evil for which the people of the several States and Territories are called upon to provide adequate legislation. There are many good and true men among us who conscientiously believe that the manufacture, sale, and use of ardent spirits and intoxicating drinks is a grievous evil, which calls aloud for the application of the appropriate remedies; yet while temperance societies have been organized every where, and lectures delivered, and the pledge circulated, and strenuous efforts made to induce the legislatures of the different States and Territories to provide remedies by legislation for this wide-spread evil, I have never heard that any party, society, or individual has presented a petition to Congress, praying that the Maine liquor law shall be imposed upon the Territories and new States as a fundamental condition of their admission into the Union, regardless of the wishes and in defiance of the rights of the people who may reside therein and be affected thereby. [Cheers.]

Crime, in any of its forms and shapes, is a very great evil in any State or Territory; yet Congress has never presumed to enact criminal codes for the Territories and new States—to declare what shall and what shall not be deemed criminal—to prescribe the penalty and point out the mode of punishment. These things have always been left, and, I trust, always will be left to the people of the different States and Territories, to be determined by them through their local legislatures in accordance with their sense of right and duty. Why should we make an

exception of the slavery question, and apply to it a rule, which is admitted to be unsound and subversive of constitutional right, when applied to any other matter of local and domestic concern? Are not the people of the Territories capable of self-government? If not, why give them a legislature at all—why allow them to make laws upon any subject? If they are capable of self-government, does it require any higher degree of intelligence to legislate for the negro than for the white man, or to prescribe the relations of master and servant than those of husband and wife, and parent and child?

But, in order to excuse themselves for so palpable a repudiation of the great principle of self-government, the abolitionists tell us that slavery is a violation of the law of God, and therefore the people of the Territories and new States should not be entrusted with the decision of the question as provided in the Nebraska bill. Without stopping to inquire into the sinfulness of slavery as a religious question, I do maintain that the mode provided in the Nebraska bill for determining the controversy of its existence or exclusion, by referring it to the decision of the people, who are immediately interested and alone responsible, is strictly in accordance with the divine law. When God created man, He placed before him good and evil, and endowed him with the capacity to decide for himself, and held him responsible for the consequences of the choice he might make. [Tremendous applause and cheers.]

This is the divine origin of the great principle of self-government. [Applause.] The Almighty breathed the principle into the nostrils of the first man in the garden of Eden, and empowered him and his descendants in all time to choose their own form of government, and to bear the evils and enjoy the blessings of their own deeds. The principle applies to communities, and Territories, and States, as well as to individual men. The principle applies to Kansas as well as to Pennsylvania—to Nebraska as well as to Virginia. The Constitution of the United States is in perfect accord with this divine principle, leaving each State and the people thereof, at liberty to govern themselves and reap the harvest of the seed they may sow. [Immense applause—cries: "That is right," "that is right."]

I repeat, therefore, that the Constitution of the United States does not establish slavery, nor abolish it anywhere; nor does it either enlarge or diminish its area. It recognizes and protects all the institutions of the different States, however dissimilar or whatever their character, provided they are not in conflict with

any of its provisions. Wherever slavery exists in any State by virtue of the local law, there the Constitution recognizes and protects the institution; and wherever slavery is prohibited by the local law, the Constitution recognizes and protects the prohibition in such State. The Constitution of the United States is the supreme law of the land, to which all must yield implicit obedience. [Applause.]

It authorizes Congress to legislate upon the subject of slavery in two cases only: First, for the suppression of the foreign slave trade; and second, for the surrender of fugitives from service. Congress has exerted in good faith the full measures of its authority in both cases. The abolitionists avow their willingness to abide by the Constitution and law in the one case, where the introduction of any more slaves into the United States is prohibited, for the reason that the result is in harmony with their views. But in the other case, where the act of Congress was passed for the express purpose of carrying into effect a plain provision of the Constitution, by returning the slave to his master, these same abolitionists say they will not abide by the law—they will trample upon the Constitution—they will set at defiance the constituted authorities and bear aloft the standard of rebellion against the federal government, for the reason that this clause of the Constitution and the law for carrying it into effect do not harmonize with their views. Their doctrine is that they will abide by and claim the benefit of the Constitution and laws whenever and wherever they tend to advance their peculiar theories and opinions; and, on the contrary, they will resist both the Constitution and laws, with force and violence, whenever that line of policy is necessary to the accomplishment of their philanthropic views upon the subject of slavery. Efforts are now being made to organize a new party—a great northern, sectional party—upon the abolition platform, and to carry on an offensive war against the local and domestic institutions of one-half of the States of the Union, under a banner which shall proclaim to the world that they claim for themselves the protection of the Constitution which they deny to those upon whose rights they make war—that the Constitution is binding upon their opponents, but not upon themselves—and that they hold themselves at liberty at all times to obey or resist it as may best suit their purposes. Whatever name shall be given to this new political organization—whether it shall be called whig, abolition, freesoil, or know-nothing—it will still be the antagonist of the democratic party. Whatever may be the nature of the contest or the prospects of success, the democ-

racy of the nation must stand firmly by the Constitution as it is, yielding implicit obedience to all of its obligations, and carrying into faithful execution all of its provisions. [Cheers and continued applause.] We must maintain the supremacy of the laws, put down resistance and violence wherever they may occur, and be ready to punish the traitors whenever the overt act of treason shall be committed. [Tremendous cheers and applause.]

Fellow-citizens, it has been said that in the bosom of this new political organization there is a secret society bound together by the most solemn and terrible oaths—I *know not* its name—[laughter.] Inquire of whom you may, and the answer will be “I don’t know.” [Roars of laughter.] And from all the information I can get I am inclined to believe that “know-nothings” is their name. [Tremendous roars of laughter.]

I was about to say, and I presume that the facts connected with your recent election in this city have furnished you with sufficient evidence upon the subject; I have been informed that there exists in the bosom of this new political organization, a secret political society, bound together by the most terrible oaths, to proscribe every man, whether naturalized or not, or whatever his political or religious sentiments, who had the misfortune to be born in a foreign clime, and, like our ancestors, driven by political or religious persecutions to flee from their native land and seek an asylum in America. Is there such an organization among you? [Cries of “yes,” “yes.” “There is,” “There is.”]

It is also said, and with how much truth you have much better opportunities of knowing than I, for of this I *know-nothing*, [roars of laughter,] that this secret society which controls the nominations and directs the movements of the allied forces against the democracy, binds its members by the most solemn obligations to proscribe every man who worships God according to the Roman Catholic faith, no matter to what race he may belong or where he was born. [Cries “That is it,” “They do,” “They do.”] It is also said that your recent city election was controlled by this society—that your city government is now being managed under its auspices, and that the whole patronage of the city is distributed under its direction and *in accordance with its principles of proscription*. [Cries “That is so,” “It is,” “It is,” from all sides.]

This secret society whose members profess to “know nothing” with the view of concealing their political designs, are said to have their branches and auxiliary societies in every city,

town, and village, and to be in alliance with this great northern sectional party, which proclaims open war upon the institutions of one-half of the States and upon the Constitution of the United States. It is not surprising that a political society, whose efficient secret organization enables them to conceal their plans while they hold out inducements of power and patronage to persons to assume their proscriptive obligations, with the assurance that they can conceal the hand which strikes the blow, and thus avoid the odium and responsibility of the act, while they revel in the spoils of victory—I say it is not surprising that such a political organization should prove formidable and even irresistible in its first efforts, when the specific objects and principles of the society were unknown to the community, and before the people could be aroused to a just sense of their danger. I speak of the society and of its principles of action here and wherever else they have triumphed in the recent elections; for I am not aware that I am personally acquainted with any one man who has taken upon himself their obligations and enrolled his name upon their books.

No principle of political action could have been devised more hostile to the genius of our institutions, more repugnant to the Constitution than those which are said to form the test of membership in this society of “know nothings.” To proscribe a man in this country on account of his birth place or religious faith is subversive of all our ideas and principles of civil and religious freedom. It is revolting to our sense of justice and right. It is derogatory to the character of our forefathers, who were all emigrants from the old world, some at an earlier and some at later period. They once bore allegiance to the crowned heads of Europe. They, too, suffered the torments of civil and religious persecution, the fury of which tore them from their native homes and forced them to seek new ones on the shores of America. Indeed, the settlement of this continent, the development of the thirteen united colonies, the declaration of independence, and the establishment of this glorious republic, may all be traced back to the accursed spirit of persecution. The Pilgrim fathers fled before their persecutors from England to Holland, and thence to Plymouth rock, that they might be permitted to worship God agreeably to their own faith. The same spirit compelled the Quakers to seek refuge in the wilderness under William Penn, whose name they imparted to the country they inhabited, and from which the good old commonwealth of Pennsylvania has arisen in her glory and majesty.

Your own beautiful city of Philadelphia stands a living monument, and I trust it may stand an eternal monument, of their gratitude to God for having removed them from the scenes of their troubles to a quiet and peaceful home on the banks of the Delaware, which, in the fullness of their hearts and in faith that the spirit of religious persecution would never again reach them nor spring up among them, they called the “CITY OF BROTHERLY LOVE.” [Cheers and applause.]

The Catholics, who in turn, were oppressed and pursued by those who had felt the rod of their power, found an asylum upon the banks of the Chesapeake, and called their little colony after their favorite Queen Mary, to which circumstance the State of Maryland owes her name and her origin.

The gallant cavaliers who, after having persecuted the pilgrims and driven them from the kingdom under Charles I., were in turn routed and pursued by Cromwell, with his invincible army of Round Heads, until they fled to Virginia, where they established the Church of England.

The Huguenots, who settled in South Carolina, were also refugees from religious persecution. Thus it will be seen that the different colonies were the representatives of the various religious sects in Europe, who had each been persecuted and had nearly all persecuted each other in turn, until, by the strange vicissitudes of fortune, they were driven from their native land and forced to seek an asylum upon this continent, where each could be protected in the worship of God in accordance with the faith he had embraced. In proportion as they became tolerant and just in matters of religion they became liberal and enlightened in respect to the true principles of civil government. When the revolution broke out, in defence of their civil and political rights each and all of these colonies rallied under the banner of their common country. The revolution established their independence, by converting the dependent colonies into distinct sovereign States. Yet it was not until the adoption of the Constitution of the United States that their liberties were consolidated and placed on a firm and sure basis. In the Constitution it was provided that “NO RELIGIOUS TEST SHALL EVER BE REQUIRED AS A QUALIFICATION TO ANY OFFICE OR PUBLIC TRUST UNDER THE UNITED STATES.” [Immense applause.]

This provision was adopted unanimously. It was the common ground of justice and equality, upon which all religious denominations could stand in harmony and security. It expressed in plain language the true principles of

religious toleration, the correctness and necessity of which had been thoroughly vindicated in the history and experience of each of the colonies. It was heartily concurred in by Protestant and Catholic—by Puritan and Cavalier—by Quaker and Huguenot—each and all of the religious sects and denominations agreed upon this great principle as a platform, a common ground upon which they and their descendants in all future time could and would stand in the bonds of brotherly affection. [Applause.]

By another clause of the Constitution no man can hold any office under the government of the United States, or under any of the State governments, until he has subscribed an oath to support the Constitution of the United States. This oath must be taken, and ought to be kept, not only by Presidents and governors, and judges, but by the mayors of your cities and all their subordinates in office. [Tremendous cheers and applause.]

Now, fellow-citizens, permit me to inquire, in all kindness, how can the members of this political society, called "know-nothings," take upon themselves a solemn oath by which they shall stand pledged to raise up a religious test as a qualification for office, in the very teeth of the Constitution, by proscribing men on account of their religious faith? Will they excuse themselves upon the ground that *they did not know* of this clause in the Constitution? [Cheers and laughter.]

Will they tell us that *they did not know* the history of their own country—that *they did not know* of the sufferings and persecutions to which their fathers had been subjected on account of their religious faith—that *they did not know* that the obligations and principles of their society were at war with the genius of our whole republican system and in direct conflict with the principles of the Constitution? [Loud cheering.]

If *they did not know* these things, surely there was wisdom in calling themselves "KNOW NOthings." [Tremendous cheers and roars of laughter.]

Those who do not know should be made to learn, and feel that the Constitution is the supreme law of the land; that all men who live under it, and enjoy its protection, must yield implicit obedience to its requirements, in all its parts and provisions, whether they like them or not. [Cheers and continued applause.]

Their likes or dislikes have nothing to do with the question. We live under a government of laws, and the supremacy of the laws must be maintained, no matter from what quarter or motive the resistance may come. [Great applause.]

The equality of all the States under the Constitution, and the right of the people to decide for themselves what kind of local and domestic institutions they will have, are cardinal principles in the democratic creed. [Loud and enthusiastic cheers.]

To these fundamental propositions, let me add another, which forms the corner stone in the temple of our liberties. It is, that all men have an inalienable right to worship God according to the dictates of their own conscience, and under our Constitution, no man ought or can be proscribed on account of his birth-place or of his religious faith. [Loud cheers and applause.]

These are the issues which the democratic party of the nation have to meet and maintain before the people in all the States. Let no consideration of partizan policy or temporary advantage induce us to swerve a hair's breadth from our principles. If we meet the questions fairly and directly, and fight the battle boldly, and should even suffer a temporary defeat, yet we will have the proud satisfaction of knowing that we have saved our honor at the same time that a glorious triumph awaits us in the future. [Applause.]

Then, fellow democrats, let us stand by our our arms, and be ready to fight the allied forces of abolitionism, whigism, nativeism, and religious intolerance, under whatever name and on whatever field they may present themselves. [Enthusiastic cheers and tremendous applause.]

And, if, after struggling as our forefathers struggled for centuries in their native land against civil and religious persecution, we and our children shall be finally borne down and trampled under the heel of despotism, we can still follow their example—flee to the wilderness, and find an asylum in Nebraska, where the principles of self-government have been firmly established in the organic act which recently passed Congress.

